

*Attach #4  
Supp. Dec*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2874

Examiner: Mr. Akm E. Ullah

In re PATENT APPLICATION of

Applicants : Shin ISHIBASHI et al

Appln. No. : 09/087,857

Filed : June 1, 1998

For : FIBER OPTIC MODULE

Atty. Dkt. : 31238-129762 (Formerly ASAMU 0323E)



**SUPPLEMENTAL  
DECLARATION AND  
POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
OCT - 5 1999  
TC 2800 MAIL ROOM

Sir:

We, Shin ISHIBASHI, Hideyuki NAGAO, and Tomiya MIYAZAKI declare:

That we are citizens of Japan and that our post office addresses are 7-4-201, Yanaga-4-chome, Minami-ku, Fukuoka-shi, Japan; 5-10-401, Noma-2-chome, Minami-ku, Fukuoka-shi, Japan; and 20-4-2, Miwadai-3-chome, Higashi-ku, Fukuoka-shi, Japan, respectively;

That we verily believe ourselves to be the original, first, and joint inventors of the invention "FIBER OPTIC MODULE" described and claimed in United States Letters Patent No. 5,596,663, issued January 21, 1997 on Application Serial No. 08/372,078, filed January 12, 1995, and in the above-identified reissue application;

That we have reviewed and understand the contents of the reissue specification, including the claims, as amended by any amendment specifically referred to herein;

That we acknowledge our duty to disclose all information known to us to be material to the examination of this application, and that we have done so by submission of an Information Disclosure Statement;

That we do not know and do not believe that this invention was ever known or used in the United States before our invention thereof, or patented or the subject of an inventor's certificate or described in any printed publication in any country before our invention thereof, or more than one year prior to the filing of Application Serial No. 08/372,078, or in public use or on sale in the United States more than one year prior to the filing of Application Serial No. 08/372,078;

That this invention has not been patented or made the subject of an inventor's certificate in any country foreign to the United States or any application filed by us or our legal representatives or assigns more than 12 months before the filing of Application Serial No. 08/372,078, and that no application for a patent on this invention has been filed by us or our representatives or assigns in any country foreign to the United States, except as follows:

<u>Application No.</u>	<u>Country of Origin</u>	<u>Filed</u>
06-086691	Japan	April 25, 1994

We verily believe that the original Letters Patent No. 5,596,663, referred to above, is wholly or partly inoperative or invalid because the patent claims less than it had a right to claim. Specifically, patent claims 1, 7-10, 27, 32, 41, 45, 46, 50, 52, 54, and 58 claim a fiber optic module comprising first and second frames. However, the recitation of "first and second frames" in, for example, patent claim 1, constitutes an error because the listed claims were inadvertently limited to at least two frames whereas a frame comprising a single integral unit

could be employed for holding the circuit board, laser diode module, and photodiode module. Claims 12, 15, 16, 18-20, 24-26, 30, 31, 36, 39, 42, 43, 51, and 55-57 have been amended to claim a fiber optic module wherein the frame comprises at least two parts as, for example, in amended claim 12. Further, the Abstract, Summary of the Invention, and a part of the Description of the Preferred Embodiments have been amended to provide support for the recitations in the amended claims.

All of the errors being corrected in this reissue application up to the time of filing this Supplemental Declaration arose without any deceptive intention on the part of the applicants.

Wherefore, we pray that we may be allowed to surrender United States Letters Patent No. 5,596,663 granted to us on January 21, 1997, whereof MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. of 1006, Oaza Kadoma, Kadoma-shi, Osaka, JAPAN is now sole owner, by assignment, and that Letters Patent may be reissued to them for the same invention as disclosed in the above-identified reissue application.

We hereby appoint Messrs. George H. Spencer (Reg. No. 18,038); Norman N. Kunitz (Reg. No. 20,586); Robert J. Frank (Reg. No. 19,112); Gabor J. Kelemen (Reg. No. 21,016); John W. Schneller (Reg. No. 26,031); and Robert Kinberg (Reg. No. 26,924), the address of all being VENABLE, Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005-3917 (telephone: (202) 962-4800), our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

We further hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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